Congress of the United States
Washington, DC 20515

January 15, 2019

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The Honorable Ajit Pai
Chairman
Federal Communications
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

We write to echo the concerns of the North Pacific Fishery Management Council (Council) regarding the Federal Communication Commission's Enforcement Advisory (No. 2018-04) regarding the use of Automatic Identification Systems (AIS) to identify and track fishing gear. We urge you to find an expedient solution to this issue that will allow commercial fishermen in Alaska and across the country to utilize this important technology for their safety and efficiency at sea.

Alaska's fisheries provide the nation and the world with a reliable source of sustainably-harvested, nutritious seafood. Commercial fishing in our state supports more than 27,000 jobs and harvests fish and shellfish worth an estimated $1.6 billion in ex-vessel value (2017). Fishermen prioritize safety and efficiency at sea, as mandated by the National Standards set forth in the Magnuson-Stevens Fishery Conservation and Management Act, and Alaskans have long been pioneers in utilizing cutting edge technology to improve safety, reduce bycatch, and facilitate comprehensive monitoring and reporting of catch. To that end, fishermen in Alaska have begun using AIS technology to mark their gear with the aim of preventing accidental entanglements while also mitigating gear loss.

We understand that the International Telecommunications Union plans to consider the use of autonomous AIS beacons, including those deployed on fishing gear, at the World Radiocommunication Conference in October of 2019. Unfortunately, waiting for resolution of this issue at the international level is not an acceptable solution to us nor to our fisheries-dependent constituents. Fishermen in Alaska are now facing incredibly steep fines for utilizing an effective technology that supports safety at sea, improves tracking and retention of deployed gear, and prevents gear loss that might unintentionally place unsustainable fishing pressure on our valued stocks.

We strongly support the Council's request that the Federal Communications Commission immediately commence a process to authorize the use of AIS markers on fishing gear, either through its Private Aids to Navigation regulations or another regulatory mechanism. Further, we request that the FCC immediately reconsider its enforcement advisory regarding the use of AIS beacons. We share the view of the Council that the use of AIS markers on fishing gear presents a valuable opportunity to improve safety, efficiency, and gear retention in our fisheries. Fishermen should not be penalized with thousands of dollars in fines for taking this opportunity.

We look forward to working with you to identify a solution that supports the safety, security, and livelihoods of Alaska's fishermen. Please contact our respective offices with your questions.

Sincerely,

Lisa Murkowski	Dan Sullivan	Don Young
United States Senator	United States Senator	Congressman for All Alaska

CC: Admiral Karl Schultz, United States Coast Guard Commandant
RADM Timothy Gallaudet, Undersecretary for Oceans and Atmosphere
Mr. Chris Oliver, Assistant Administrator for Fisheries

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2019

The Honorable Don Young
U.S. House of Representatives
2314 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Young:

Thank you for your letter regarding the importance of radiofrequency markers for America's fisheries. I understand how Alaskan fishermen need effective communications technologies to improve safety, reduce bycatch, and facilitate comprehensive monitoring of their work at sea. Accordingly, the Federal Communications Commission has authorized radio buoys operating in the 1,900–2,000 kHz band for identifying and tracking fishing lines and nets on the open sea to promote safety and efficiency and to prevent accidental entanglement and mitigate loss at sea. Users may choose between continuous transmitting or radio buoys that transmit only after receiving a selective calling signal from the associated ship station.

Last year, it came to the attention of the FCC that some fishermen were using non-compliant radiofrequency devices in the 156.775–162.025 MHz band to mark and track fishing nets. This frequency band is actively monitored by the U.S. Coast Guard for marine navigation safety communications such as locating ships and persons in distress. Use of radiofrequency devices in this band for non-safety related communications could impede the Coast Guard's ability to carry out its mission of aiding ships in distress—an outcome no one desires.

As you note in your letter, the International Telecommunications Union is currently studying other uses for the 156.775–162.025 MHz band, with a critical eye towards expanding its uses without endangering the safety of life or vessels at sea. But that proceeding has not yet concluded, and as a result, the FCC has not made additional authorizations at this time (nor have newer technologies been developed and deployed that might address the problem). This is why the Enforcement Bureau recently released an enforcement advisory on the matter.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

Ajit V. Pai

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 14, 2019

The Honorable Lisa Murkowski
United States Senate
522 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Murkowski:

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February 14, 2019

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United States Senate
702 Hart Senate Office Building
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